

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LYNNE LAMAR THOMPSON,)	
Plaintiff,)	
)	
vs.)	Civil Action No. 07-33
)	Judge Arthur J. Schwab
)	Magistrate Judge Caiazza
BOBBY RAHAL MOTOR CARS,)	
<i>et al.</i> ,)	
Defendants.)	

MEMORANDUM ORDER

Lynne Lamar Thompson's civil rights complaint was received on January 10, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on January 10, 2007, recommended that Plaintiff's Motion to Proceed In Forma Pauperis (Doc. 1) be denied, and that the complaint be dismissed pursuant to 42 U.S.C. §1915(g) for failure to pay the filing fee, without prejudice to Plaintiff Thompson's right to reopen the case within 60 days upon payment of the filing fee. Plaintiff filed a motion on January 18, 2007 (Doc. 3), which the court will treat as objections, and Plaintiff filed further objections on January 31, 2007.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections filed by the Plaintiff, the following order is entered:

AND NOW, this 2nd day of February, 2007.

IT IS HEREBY ORDERED that Plaintiff's Motion to Proceed In Forma Pauperis (Doc. 1) is DENIED, and this case is DISMISSED for failure to pay the filing fee. The Clerk is directed to mark this case CLOSED.

IT IS FURTHER ORDERED that Plaintiff may reopen this case within 60 days upon full payment of the filing fee. The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 2), dated January 10, 2007, is adopted as the opinion of the court.

s/Arthur J. Schwab
Arthur J. Schwab
U.S. District Court Judge

cc: Lynne Lamar Thompson, 6337
07640-068
Federal Correctional Institution
33 1/2 Pembroke Station
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